

REMARKS

Restriction Requirement

The Examiner has made a requirement for restriction between the following groups of claims:

Group I: Claims 1-4, drawn to a woven polyester fiber; and

Group II: Claims 5-10, drawn to a polyester fabric produced from island-in-the-sea conjugated yarn.

In order to comply with the Examiner's Restriction Requirement, Applicants provisionally elect to prosecute Group I, directed to claims 1-4, for prosecution in the present application. Applicants reserve the right to file a Divisional application directed to the non-elected claims at a later date, if so desired.

This election is without traverse.

Claim Amendments

By way of the present Amendment, Applicants have canceled non-elected claim 5-10.

Conclusion

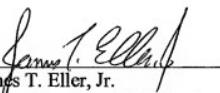
Favorable action on the present application is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 18, 2009

Respectfully submitted,

By 
James T. Eller, Jr.

Registration No.: 39,538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant